

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) 09-CR-43-SPF
)
)
LINDSEY KENT SPRINGER and)
OSCAR STILLEY,)
)
)
Defendants.)

MOTION FOR 10 DAY CONTINUANCE

Lindsey Kent Springer ("Springer") moves the Court for a 10 day continuance to file proposed jury instructions along with the proposed instructions encompassing any affirmative defenses.

Currently, the Court's standing order directs proposed jury instructions including affirmative defenses be filed by August 3, 2009. Jury Trial is not scheduled until October 26, 2009.¹ Many of the proposed instructions applicable to Springer are mentioned in comments by the 10th Circuit Pattern Instructions but no accompanying instruction. This has caused Springer to look through many judicial decisions by the 10th Circuit and Supreme Court to structure the instructions consistent with current federal law. And finally, the continuance would allow for

¹Usually the Speedy Trial Act requires trial within 70 days of arraignment with certain exceptions. Granting this request will not prejudice the Government of Mr. Stilley in any way. Springer has asked each party if they have any objection and has not heard back from them. Springer knows of no legitimate complaint any of them would have.

this Court to direct compliance with Springer's Second Motion for Bill of Particulars which is absolutely necessary to understand the liability and deficiency elements considering the scant instructions the 10th Circuit has endorsed.

Springer thought he could be finished by close of day August 3, 2009, but has come to the realization that compliance ain't happening because of the difficulty in the way the indictment has been drafted. With three different usage of the term "willfully" and not a single proposed instruction by the 10th Circuit is but one example of the complexity. Springer has been working daily on these proposed instructions and needs the extra time to have the instructions propose logical terms considering the many defenses Springer intends to raise based upon the many possible theories the 40,000 pages of discovery suggests are in the Government's tool box.

Therefore, Lindsey Kent Springer requests this Court grant him a continuance until August 13, 2009 to submit his proposed jury instructions regarding the trial date of October 26, 2009.

Respectfully Submitted
/s/ Lindsey K. Springer
Lindsey K. Springer
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Lindsey Kent Springer's Motion for 10 Day Continuance was ecf'd on August 3, 2009, to:

Kenneth P. Snoke,
Charles O'Reilly,
Oscar Stilley

/s/ Lindsey K. Springer
Signature